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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/453,568	12/02/1999	AKIO SEKIYA	HAG 114	2817

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EXAMINER

GORT, ELAINE L

ART UNIT	PAPER NUMBER
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3627

DATE MAILED: 09/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/453,568

Applicant(s)

SEKIYA, AKIO *h*

Examiner

Elaine Gort

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 July 0102.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☒ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Oath/Declaration

1. No oath/declaration exists in the case.

Drawings

2. The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81. No new matter may be introduced in the required drawing.

The drawings are objected to under 37 CFR 1.83(a). The current drawings are in Japanese. The drawings must show every feature of the invention specified in the claims. Therefore, the claimed limitations must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or

verbose terms used in the specification are: specification appears to be a literal translation and it appears generally accepted accounting terms for example: cash flow is termed as "flow of money" (page 4, line 1) have not been used. Another example is that it is unclear what is meant by expense, debit and credit accounts on page 4, line 9. The specification is replete with in-concise terminology and inexact terms.

Applicant is required to provide a clarification of these matters or correlation with art-accepted terminology so that a proper comparison with the prior art can be made. Applicant should be careful not to introduce any new matter into the disclosure (i.e., matter which is not supported by the disclosure as originally filed).

A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 3-14 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for creating accounting screens, does not reasonably provide enablement for "calling the second file after the first file is stored and printed out to spread and arrange the same before the first file is restarted" as claimed in claim 12

line 19. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to carryout the invention commensurate in scope with these claims. The specification must provide enablement for all claim limitations.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 3-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. The claims should be reviewed thoroughly for indefiniteness.

Claim 3 recites the limitation "claim 2" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites the limitation "claim 2" in 1. There is insufficient antecedent basis for this limitation in the claim.

Other examples include the following:

Claim 12 recites the limitation "the same" in line 10. There is insufficient antecedent basis for this limitation in the claim. It is unclear what is being developed and arranged.

It is unclear in claim 12 lines 4 and 5 what is meant and being claimed by the word "setting" and in line 4 by "displaying".

It is unclear in claim 12 line 6 what is meant by an operational expression. It is further unclear what the difference is between a functional formula and an operational expression.

In claim 12 line 7 there is insufficient antecedent basis for the numerical values entered in the input cells.

In claim 12 line 7 it is unclear if the numerical values entered in the input setting cells are the same numerical values displayed. This can be overcome by calling the first set of numbers as a "first set of numerical values" and the second as a "second set of numerical values".

It is unclear in claim 12 line 8 what is being claimed regarding "to be displaying". Perhaps what is meant is "displayed".

In claim 12 line 9 it is unclear how calling the screens develops and arranges "the same" on a display.

Claim 12 recites the limitation "the display" in line 15. There is insufficient antecedent basis for this limitation in the claim. No display has been positively recited—only the "displaying" of cells.

Claim 12 recites the limitation "each unit of transaction" in line 11. There is insufficient antecedent basis for this limitation in the claim. No "unit of transaction" has been positively recited.

Claim 12 line 17 it is unclear how "a second file is created in addition to a first file". No first file being created is positively claimed.

Claim 12 line 19 it is unclear what is meant by calling the second file after the first file is stored and printed out to spread and arrange the same before the first file is restarted.

Claim 12 recites the limitation "the same" in line 20. There is insufficient antecedent basis for this limitation in the claim. It is unclear what is being developed and arranged. Furthermore it is unclear what is meant by spread and arrange. It is further unclear if "restarted" is a claim limitation.

The above examples form only a portion of the existing errors. The claims must be reviewed and any forms of indefiniteness removed.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 3-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clancey et al. (US Patent 6,134,563).

Clancey et al. discloses the claimed method, as far as the claimed method can be understood, but is silent regarding the use of a first file for storing the screens. The

use of random access memory (RAM) is notoriously old and well known in the art of computers to provide a fast efficient volatile memory that can be written to as well as read. The use of back-up files to provide a duplicate file for archiving purposes or for safeguarding valuable files from loss is also notoriously old and well known in the art of computers. The use of temporary files are also notoriously old and well known in the art of computers for creating a file either in memory or on disk to be used during a session and then discarded. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the computer method for accounting of Clancey et al. with the random access memory file, back-up file and/or temporary file in order to provide the file with fast, efficient access; for archiving purposes; and/or for temporary use in a session.

Clancey et al. disclose a computing method for accounting comprising the steps of: installing spreadsheet software (system uses spreadsheets—spreadsheet program); storing formulas (spreadsheet formulas stored); creating and calling different kinds of accounting screens (user can create and view accounting screens such as income statement, balance sheet statement, cash flow statement, etc...); entering numerical values representing transactions (individual transaction events are recorded and combined to create the statements, for example the income statement is based on individual values being entered for income and expenses); calculations to complete screens (e.g. calculations performed to create financial statements); creating a second file (e.g. financial statements saved together); calling second file (e.g. RAM file called on to print, temporary file called on to make calculations, or back-up file created);

calculating using information from the first file (calculation of updated information, for example the addition of another request or entry); and merging the first file into the second file wherein the first file is "handed down" to the second file (RAM file, temporary file or back-up file copied to the first file to update first file). All other claimed limitations are either disclosed or inherent.

Response to Arguments

10. Applicant's arguments with respect to claims 3-14 have been considered but are moot in view of the new ground(s) of rejection. Applicant has not overcome the prior 112 rejections.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 3627

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elaine Gort whose telephone number is (703)308-6391. The examiner can normally be reached on Monday through Thursday from 7:00 am to 5:30 pm.

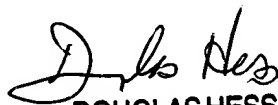
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski, can be reached at (703)308-5183. The fax phone number for the organization where this application or processing is assigned is (703)305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-1113.

EG



September 23, 2002



DOUGLAS HESS
PRIMARY EXAMINER
9-25-02